

CRAIG AND MACAULEY  
PROFESSIONAL CORPORATION  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210  
Telephone: (617) 367-9500  
Facsimile: (617) 742-1788  
Christopher J. Panos, Esq. (CP 4959)  
Joseph J. Koltun, Esq. (JK 3309)  
Kathleen A. Rahbany, Esq. (KR 0520)

Attorneys for Vitex Extrusion, LLC

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEXINGTON PRECISION CORP., *et al.*,  
  
Debtors.

Chapter 11  
Case No. 08-11153 (MG)  
Jointly Administered

**MOTION FOR ALLOWANCE OF ADMINISTRATIVE CLAIM**

Pursuant to sections 503(a) and 503(b)(9) of Title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”), this Court’s order of July 21, 2010 [Docket No. 975] (the “Confirmation Order”) confirming the above-captioned debtors’ *Fourth Amended Joint Plan of Reorganization under Chapter 11 of the Bankruptcy Code, as Modified* [Exhibit A. to Docket No. 975] (the “Confirmed Plan”), Vitex Extrusion, LLC (the “Seller”) hereby moves this Court for an order allowing the Seller an administrative claim in the amount of \$62,699.15 (the “Administrative Claim”) and directing payment of the Administrative Claim in accordance with the Confirmed Plan. In support hereof and in compliance with Section IV(d) of the Confirmation Order and Section 2.1(a) of the Confirmed Plan, the Seller states as follows:

1. On April 1, 2008 (the "Petition Date"), the above-captioned debtors commenced these bankruptcy cases by filing voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.

2. The Seller shipped goods to Lexington Precision Corp. ("LPC"), one of the above-captioned debtors, which LPC received within twenty (20) days of the Petition Date (the "Goods"). Copies of the invoices reflecting the Goods are attached hereto as Exhibit A. The value of the Goods is \$62,699.15.

3. The Seller asserts the Administrative Claim on account of LPC's receipt of the Goods.

4. LPC has made no payment to the Seller on account of the Goods.

5. Accordingly, the Seller asserts that LPC and/or Reorganized LPC (as that term is defined in the Confirmed Plan) is liable for the Administrative Claim.

WHEREFORE, the Seller respectfully requests that this Court enter an order:

- A. Allowing the Seller's Administrative Claim pursuant to section 503(b)(9) of the Bankruptcy Code in the amount of \$62,699.15;
- B. Ordering and directing the Reorganized Debtors (as that term is defined in the Confirmed Plan ) to pay the Seller's Administrative Claim in accordance with the Confirmed Plan; and

C. Granting such other relief as is just and proper.

Respectfully Submitted,

July 26, 2010

VITEX EXTRUSION, LLC

By one of its attorneys

/s/ Joseph J. Koltun

Christopher J. Panos

Joseph J. Koltun

Kathleen A. Rahbany

Craig and Macauley Professional Corporation

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210

# **EXHIBIT A**

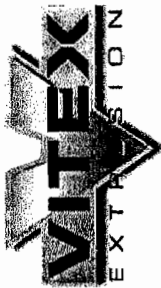
Summary of Invoices

Shipment Date	Invoice Number	Total Due
3/12/2008	734705	\$5,821.88
3/12/2008	734706	\$10,537.70
3/12/2008	734707	\$4,106.05
3/12/2008	734708	\$8,066.79
3/27/2008	734886	\$19,563.36
3/27/2008	734887	\$4,134.00
3/27/2008	734888	\$10,469.37
<b>TOTAL</b>		<b>\$62,699.15</b>

**INVOICE**

REMIT TO: VEC Acquisition, LLC  
PO Box # 842564  
Boston, MA 02284-2564

**Vitex Extrusion**  
43 Industrial Park Drive  
PO Box 6149  
Franklin, NH 03235  
Tel: 603-934-5275  
Fax: 603-934-0355



Lexington Machine  
677 Buffalo Road  
Rochester, NY 14611

SAME

SHIP TO

INVOICE NUMBER	INVOICE DATE
734705	3/12/2008
IMPORTANT: PLEASE REFER TO OUR INVOICE NUMBER IF ANY CORRESPONDENCE AND WHICH PAYING THIS INVOICE YOU WILL INSURE PROPER CREDIT TO YOUR ACCOUNT.	
SHIPPING MANIFEST	OUR ORDER NUMBER
34666	21395
SHIP VIA	CUSTOMER P.O. NUMBER
Hartley	P3705
PAYMENT TERMS	DATE OF SHIPMENT
Net 30	3/12/2008
SHIP TERMS	PROMISE DATE
FOB Destination	3/12/2008

ITEM NO.	DIE NUMBER	CUSTOMER PART NO.	DESCRIPTION ALLOY/TEMPER	LENGTH	FINISH	PIECES	POUNDS	UNIT PRICE	UNIT EXTENSION
1	901119	J10-9	.855-.865 HEX 6061/T6	120" +0.25 -0.00"	Mill Finish	345	3,125	1.863	5,821.88
						Item Subtotal			5,821.88
						TOTAL DUE			5,821.88

PAGE 1

ORIGINAL NOT NEGOTIABLE

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34666

Date 3/12/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any portion of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo RoadShip To: Lexington Machine  
677 Buffalo Road

Rochester, NY 14611

Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	WEIGHT (SUB. TO CAR)	Subject to Section 7 of Conditions of applicable bill of lading, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:  The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.  VITEX EXTRUSION  (Signature of Consignor)  Freight is PREPAID unless otherwise checked: <input type="checkbox"/> COLLECT <input type="checkbox"/> 3rd Party Billing  Rec'd \$ _____ to _____ apply in prepayment of the charges on the property described hereon.  Agent of Cashier  Per _____ (The signature here acknowledges only the amount prepaid.) Charges advanced:  \$ _____  The shipment is correctly described Correct Wt. is _____ lbs. Subject to Verification by the Governing Freight and Inspection Bureau Agreement No. _____ VITEX EXTRUSION PER <u>DM</u> Shipper  The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.																				
	<p>NOTE: RATING/CLASS (Unless noted otherwise) Aluminum Extrusions 20#/Cu. Ft.</p> <p>PO: P3705 Sales Order: 21395</p> <p>Length 2'0" Desc: .855-.845 HEX Items: 1</p> <p>Section: 901119 Part J10-9 Alloy/Temp: 4061/T6</p> <table border="1"> <thead> <tr> <th>Ticket</th> <th>Pieces</th> <th>Net Pounds</th> <th>Gross</th> </tr> </thead> <tbody> <tr> <td>81843</td> <td>123</td> <td>1117</td> <td>1138</td> </tr> <tr> <td>81844</td> <td>123</td> <td>1117</td> <td>1138</td> </tr> <tr> <td>81845</td> <td>99</td> <td>891</td> <td>912</td> </tr> <tr> <td>Item Total</td> <td>345</td> <td>3125</td> <td></td> </tr> </tbody> </table> <p>SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives on Thursdays. CALL JIM KLOS AT 885-235-0880 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 106. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 A.M.</p> <p>FOR Destination</p> <p>3 Tickets 3125</p>	Ticket	Pieces	Net Pounds	Gross	81843	123	1117	1138	81844	123	1117	1138	81845	99	891	912	Item Total	345	3125			
Ticket	Pieces	Net Pounds	Gross																				
81843	123	1117	1138																				
81844	123	1117	1138																				
81845	99	891	912																				
Item Total	345	3125																					
Per <u>[Signature]</u>	Agent, Per _____																						

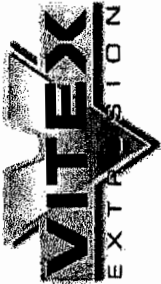
Permanent post-office address of shipper,

Agent, Per

**INVOICE**

REMIT TO: VEC Acquisition, LLC  
PO Box # 842564  
Boston, MA 02284-2564

**Vitex Extrusion**  
43 Industrial Park Drive  
PO Box 6149  
Franklin, NH 03235  
Tel: 603-934-5275  
Fax: 603-934-0355



Lexington Machine  
677 Buffalo Road  
Rochester, NY 14611

SOLD TO

SHIP TO

SAME

INVOICE NUMBER	INVOICE DATE
734706	3/12/2008
IMPORTANT: PLEASE REFER TO OUR INVOICE NUMBER IN ANY CORRESPONDENCE AND WHEN PAYING THIS INVOICE THIS WILL INSURE PROPER CREDIT TO YOUR ACCOUNT.	
OUR ORDER NUMBER	
34667	21396
SHIP VIA	
Hartley	CUSTOMER P.O. NUMBER
Net 30	P3895
SHIP TERMS	DATE OF SHIPMENT
FOB Destination	PROMISE DATE
	3/12/2008

ITEM NO.	DIE NUMBER	CUSTOMER PART NO.	DESCRIPTION ALLOY/TEMPER	LENGTH	FINISH	PIECES	POUNDS	UNIT PRICE	LIN	EXTENSION
1	901530	S82-6	CUSTOM SHAPE 6061/T8	120" +0.125 -0. 000"	Mill Finish	140	5.552	1.898	Lb	10,537.70
									Item Subtotal	10,537.70
									TOTAL DUE	10,537.70



ORIGINAL NOT NEGOTIABLE

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34667

Date 3/12/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo RoadShip To: Lexington Machine  
677 Buffalo Road

Rochester, NY 14611

Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	WEIGHT (SUB. TO CDR.)	Subject to Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:  The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.
	NOTE: RATING/CLASS (Unless noted otherwise) Aluminum Extrusions 20#/Cu. Ft.		VITEX EXTRUSION
	PO: P3095 Sales Order: 21396		
Length 2'0"	Desc: CUSTOM SHAPE Item: 1		
	Section: 901530 Part S82-6 Alloy/Temp: 6061/T6		(Signature of Consignor)
Ticket	Pieces Net Pounds Gross		Freight is PREPAID unless otherwise checked: <input type="checkbox"/> COLLECT <input type="checkbox"/> 3rd Party Billing
81849	24 952 968		
81850	24 952 968		
81851	24 952 968		
81852	24 952 968		
81853	24 952 968		
81854	20 792 806		
Item Total	140 5552		Rec'd \$ _____ to _____ apply in prepayment of the charges on the property described herein.
	SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives on Thursdays. CALL JIM KLOS AT 585-235-0800 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 106. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 PM.		Agent of Consignor
	FOR Destination		Per A.M. (The signature here acknowledges only the amount prepaid.) Charge advanced: \$ _____ The shipment is correctly described Correct Wt is _____ lbs. Subject to Verification by the Governing Freight and Inspection Bureau Agreement No. _____ VITEX EXTRUSION PER <u>DM</u> Shipper
	6 Tickets	5552	The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.

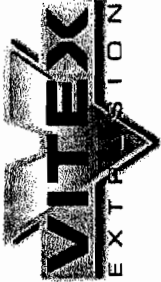
Per [Signature]  
Permanent post-office address of shipper,

Agent, Per \_\_\_\_\_

**INVOICE**

REMIT TO: VEC Acquisition, LLC  
PO Box # 842564  
Boston, MA 02284-2564

**Vitex Extrusion**  
43 Industrial Park Drive  
PO Box 6149  
Franklin, NH 03235  
Tel: 603-934-5275  
Fax: 603-934-0355



Lexington Machine  
677 Buffalo Road  
Rochester, NY 14611

SHIP TO  
SAME

INVOICE NUMBER	INVOICE DATE
734707	3/12/2008
IMPORTANT: PLEASE REFER TO OUR INVOICE NUMBER IN ANY CORRESPONDENCE AND WHEN PAYING THIS INVOICE THIS WILL INSURE PROPER CREDIT TO YOUR ACCOUNT.	
SHIPPING MANIFEST	
34668	OUR ORDER NUMBER
SHIP VIA	21397
Hartley	CUSTOMER P.O. NUMBER
Net 30	P3577
SHIP TERMS	DATE OF SHIPMENT
FOB Destination	3/12/2008
	PROMISE DATE
	3/12/2008

ITEM NO.	DIE NUMBER	CUSTOMER PART NO.	DESCRIPTION ALLOY/TEMPER	LENGTH	FINISH	PIECES	POUNDS	UNIT PRICE	U/M	EXTENSION
1	901199	I20-6	EGG SHAPE BAR 6061/T6	12'0" +0.25 -0.00"	Mill Finish	62	2,204	1.863	Lb	4,106.05
									Item Subtotal	4,106.05
									TOTAL DUE	4,106.05

PAGE 1

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34668

Date 3/12/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to the actual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property, that all of said property shall be subject to said destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Official Shipment, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Snipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo Road

Ship To: Lexington Machine  
677 Buffalo Road

Re: Kasler, NY 14611

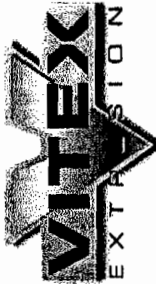
Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	WEIGHT (SUB. TO CAR.)	Subject to Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:  The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.																
	<p><b>NOTE: RATING/CLASS (Unless noted otherwise)</b> Aluminum Extrusions 20#/Cu. Ft.</p> <p>PO: P3577                      Sales Order: 21377</p> <p>Length 12'0"</p> <p>Desc: EGG SHAPE BAR                      Item: 1</p> <p>Section: 901192 Part I20-6 Alloy/Temps:6061/T4</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <th>Ticket</th> <th>Pieces</th> <th>Net Pounds</th> <th>Gross</th> </tr> <tr> <td>81866</td> <td>31</td> <td>1102</td> <td>1120</td> </tr> <tr> <td>81867</td> <td>31</td> <td>1102</td> <td>1120</td> </tr> <tr> <td>Item Total</td> <td>62</td> <td>2204</td> <td></td> </tr> </table> <p>SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives on Thursdays. CALL JIM KLOS AT 585-235-0980 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 106. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 A.M.</p> <p>FOR Destination _____</p>	Ticket	Pieces	Net Pounds	Gross	81866	31	1102	1120	81867	31	1102	1120	Item Total	62	2204			<p>VITEX EXTRUSION</p> <p>(Signature of Consignor) _____</p> <p>Freight is PREPAID unless otherwise checked:</p> <p><input type="checkbox"/> COLLECT</p> <p><input type="checkbox"/> 3rd Party Billing</p> <hr/> <p>Rec'd \$ _____ to _____</p> <p>I apply in prepayment of the charges on this property described herein.</p> <hr/> <p>Agent of Cashier _____</p> <hr/> <p>Per _____</p> <p>(The signature here acknowledges only the amount prepaid.)</p> <hr/> <p>Charges advanced: _____</p> <hr/> <p>\$ _____</p> <hr/> <p>The shipment is correctly described</p> <p>Correct Wt. is _____ lbs.</p> <p>Subject to Verification by the Governing Freight and Inspection Bureau</p> <p>Agreement No. _____</p> <p>VITEX EXTRUSION</p> <hr/> <p>PER <u>JMA</u> Shipper</p> <hr/> <p>The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.</p>
Ticket	Pieces	Net Pounds	Gross																
81866	31	1102	1120																
81867	31	1102	1120																
Item Total	62	2204																	
	<p>2 Tickets</p>	2204																	
<p>Per <u>[Signature]</u> Agent, Per _____</p> <p>Permanent post-office address of shipper, _____</p>																			

# INVOICE

REMIT TO: VEC Acquisition, LLC  
PO Box # 842564  
Boston, MA 02284-2564

**Vitex Extrusion**  
43 Industrial Park Drive  
PO Box 6149  
Franklin, NH 03235  
Tel: 603-934-5275  
Fax: 603-934-0355



Lexington Machine  
677 Buffalo Road  
Rochester, NY 14611

SHIP TO  
SAME

SOLD TO

INVOICE NUMBER	INVOICE DATE
734708	3/12/2008
IMPORTANT: PLEASE REFER TO OUR INVOICE NUMBER IN ANY CORRESPONDENCE AND WHEN PAYING THIS INVOICE THIS WILL INSURE PROPER CREDIT TO YOUR ACCOUNT.	
SHIPPING MANIFEST	
34869	OUR ORDER NUMBER
SHIP VIA	CUSTOMER P.O. NUMBER
Hartley	P3500
PAYMENT TERMS	DATE OF SHIPMENT
Net 30	3/12/2008
SHIP TERMS	PROMISE DATE
FOB Destination	3/12/2008

ITEM NO.	DIE NUMBER	CUSTOMER PART NO.	DESCRIPTION ALLOY/TEMPER	LENGTH	FINISH	PIECES	POUNDS	UNIT PRICE	LUM	EXTENSION
1	901121	120-10	Custom shape 6061/T6	120" +0.25 -0.00"	Mill Finish	246	4,330	1.863	Lb	8,066.79
Item Subtotal										8,066.79
TOTAL DUE										8,066.79



RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34669

Date 3/12/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

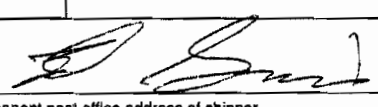
VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo Road

Ship To: Lexington Machine  
677 Buffalo Road

Rochester, NY 14611

Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	WEIGHT (SUB. TO CAR.)
	NOTE: RATING/CLASS (Unless noted otherwise) Aluminum Extrusions 20#/Cu. Ft.	
	PO: P3500 Sales Order: 21475	
Length 2'0"	Desc: Custom shape Items: 1	
	Section: 901121 Part I20-10 Alloy/Temp: 6061/T6	
Ticket	Pieces Net Pounds Gross	
81834	55 268 988	
81835	55 268 988	
81836	55 268 988	
81840	55 268 988	
81841	26 458 473	
Item Total	246 4330	
<p>SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives Thursdays. CALL JIM KLOS AT 585-235-0880 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 106. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 A.M.</p> <p>FUB Destination</p>		
5 Tickets		4330
<p>Per  Agent, Per _____</p> <p>Permanent post-office address of shipper, _____</p>		

Subject to Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:

The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.

VITEX EXTRUSION

(Signature of Consignor)

Freight is PREPAID unless otherwise checked:

☐ COLLECT

☐ 3rd Party Billing

Rec'd \$ \_\_\_\_\_ to \_\_\_\_\_

apply in prepayment of the charges on the property described hereon.

Agent of Cashier

Per \_\_\_\_\_

(The signature here acknowledges only the amount prepaid.)

Charges advanced:

\$ \_\_\_\_\_

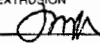
The shipment is correctly described

Correct Wt. is \_\_\_\_\_ lbs.

Subject to Verification by the Governing Freight and Inspection Bureau

Agreement No. \_\_\_\_\_

VITEX EXTRUSION

PER  Shipper

The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.

## INVOICE

## Vitex Extrusion

43 Industrial Park Drive  
PO Box 6149  
Franklin, NH 03235  
Tel: 603-934-5275  
Fax: 603-934-0355

REMIT TO: VEC Acquisition, LLC  
PO Box # 842564  
Boston, MA 02284-2564

Lexington Machine  
677 Buffalo Road  
Rochester, NY 14611

SAME

SHIP TO

INVOICE NUMBER	734886	INVOICE DATE	3/27/2008
<small>IMPORTANT: PLEASE REFER TO OUR INVOICE NUMBER IN ANY CORRESPONDENCE AND WHEN PAYING THIS INVOICE. THIS WILL INSURE PROPER CREDIT TO YOUR ACCOUNT.</small>			
SHIPPING MANIFEST	34867	OUR ORDER NUMBER	21398
SHIP VIA	Hartley	CUSTOMER P.O. NUMBER	P3187
PAYMENT TERMS	Net 30	DATE OF SHIPMENT	3/27/2008
SHIP TERMS	FOB Destination	PROMISE DATE	3/26/2008

ITEM NO.	DIE NUMBER	CUSTOMER PART NO.	DESCRIPTION ALLOY/TIMER	LENGTH	FINISH	PIECES	POUNDS	UNIT PRICE	UM	EXTENSION
1	900860	120-1	CUSTOM SHAPE 6061/T6	120" +0.125 -0. 000"	Mill Finish	632	10,501	1.863	Lb	19,563.36
										Item Subtotal
										19,563.36
										TOTAL DUE
										19,563.36

PAGE 1

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34867

Date 3/27/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo RoadShip To: Lexington Machine  
677 Buffalo Road

Rochester, NY 14611

Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS		WEIGHT (SUB. TO COR.)
NOTE: RATING/CLASS (Unless noted otherwise) Aluminum Extrusions 20#/Cu. Ft.			
PO: P3187		Sales Order: 21378	
Length 12'0"	Desc: CUSTOM SHAPE		Items: 1
Ticket	Pieces	Net Pounds	Gross
83038	60	997	1019
83039	60	997	1019
83040	60	997	1019
83041	60	997	1019
83044	60	997	1019
83045	60	997	1019
83046	60	997	1019
83047	60	997	1019
83049	60	997	1019
83050	60	997	1019
83051	32	531	550
Item Total	632	10501	
SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives Thursdays. CALL JIM KLOS AT 585-235-0880 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 106. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 A.M.			
FOB Destination			
		11 Tickets	10501
Per <u>[Signature]</u> Agent, Per _____ Permanent post-office address of shipper, _____			

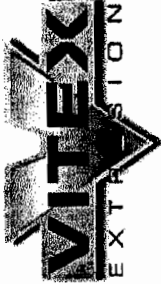
Subject to Section 7 of Conditions of applicable bill of lading, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:  
 The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.  
 VITEX EXTRUSION  
 (Signature of Consignor) \_\_\_\_\_  
 Freight is PREPAID unless otherwise checked:  
☐ COLLECT  
☐ 3rd Party Billing  
 Rec'd \$ \_\_\_\_\_ to \_\_\_\_\_  
 apply in prepayment of the charges on the property described hereon.  
 Agent of Cashier  
 Per \_\_\_\_\_  
 (The signature here acknowledges only the amount prepaid.)  
 Charges advanced:  
 The shipment is correctly described  
 Correct Wt. is \_\_\_\_\_ lbs.  
 Subject to Verification by the Governing Freight and Inspection Bureau  
 Agreement No. \_\_\_\_\_  
 VITEX EXTRUSION  
 PER [Signature] Shipper  
 The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.

Hartley Trans.

**INVOICE**

REMIT TO: VEC Acquisition, LLC  
PO Box # 842564  
Boston, MA 02284-2564

**Vitex Extrusion**  
43 Industrial Park Drive  
PO Box 6149  
Franklin, NH 03235  
Tel: 603-934-5275  
Fax: 603-934-0355



Lexington Machine  
677 Buffalo Road  
Rochester, NY 14611

SAME

SHIP TO

INVOICE NUMBER	INVOICE DATE
734887	3/27/2008
IMPORTANT: PLEASE REFER TO OUR INVOICE NUMBER IN ANY CORRESPONDENCE AND WHEN PAYING THE INVOICE YOU WILL INSURE PROPER CREDIT TO YOUR ACCOUNT.	
SHIPPING MANIFEST	
34868	OUR ORDER NUMBER
SHIP VIA	CUSTOMER P.O. NUMBER
Hartley	P3510
PAYMENT TERMS	DATE OF SHIPMENT
Net 30	3/27/2008
SHIP TERMS	PROMISE DATE
FOB Destination	3/26/2008

ITEM NO.	DIE NUMBER	CUSTOMER PART NO.	DESCRIPTION ALLOY/TEMPER	LENGTH	FINISH	PIECES	POUNDS	UNIT PRICE	U/M	EXTENSION
1	901129	120-3	EGG SHAPE BAR 6061/T6	12'0" +0.3125 -0. 0000"	Mill Finish	39	2,219	1.863	Lb	4,134.00
Item Subtotal										4,134.00
TOTAL DUE										4,134.00

PAGE 1



ORIGINAL NOT NEGOTIABLE

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34860

Date 3/27/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back hereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo RoadShip To: Lexington Machine  
677 Buffalo Road

Rochester, NY 14611

Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	WEIGHT (SUB. TO CAR.)	Subject to Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:  The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.
	NOTE: RATING/CLASS (Unless noted otherwise) Aluminum Extrusions 20#/Cu. Ft.		VITEX EXTRUSION
	PO: P3510 Sales Order: 21630		(Signature of Consignor)
Length 12'0"	Desc: EGG SHAPE BAR Items: 1		Freight is PREPAID unless otherwise checked: <input type="checkbox"/> COLLECT
Ticket	Section: 901129 Part 120-3 Alloy/Temp: 6061/T6		<input checked="" type="checkbox"/> 3rd Party Billing
83035	Pieces 21 Net Pounds 1195 Gross 1219		Rec'd \$ _____ to _____
83036	Pieces 18 Net Pounds 1024 Gross 1048		apply in payment of the charges on the property described herein.
Item Total	39 2219		Agent of Consignor
	bundle tags must have "QC AUDIT APPROVED" labels attached by before shipping.		Per _____ (The signature here acknowledges only the amount prepaid.)
	SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives Thursdays. CALL JTM FLOS AT 585-235-0880 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 104. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 A.M.		Charges advanced: \$ _____
	FOB Destination		The shipment is correctly described Correct Wt. is _____ lbs.
			Subject to Verification by the Governing Freight and Inspection Bureau
			Agreement No. _____ VITEX EXTRUSION
			PER <u>Jim</u> Shipper
	2 Tickets	2219	The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.
			Harley Trans.
	Per <u>Harley Trans. LTS</u> Agent, Per _____		
	Permanent post-office address of shipper, _____		



STRAIGHT BILL OF LADING SHORT FORM  
ORIGINAL NON-NEGOTIABLE

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

Manifest 34869

Date 3/27/2008

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any portion of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Official Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment; or (2) in the applicable motor carrier classification of tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

VITEX EXTRUSION, 43 Industrial Park Dr., Franklin, NH 03235

Lexington Machine  
677 Buffalo RoadShip To: Lexington Machine  
677 Buffalo Road

Rochester, NY 14611

Rochester, NY 14611

NO. PACKAGES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	WEIGHT (SUB TO CAR)	Subject to Section 7 of Conditions of applicable bill of lading. If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:  The carrier shall not make delivery of this shipment without payment of freight and other lawful charges.  VITEX EXTRUSION  (Signature of Consignor)  Freight is PREPAID unless otherwise checked: <input type="checkbox"/> COLLECT <input type="checkbox"/> 3rd Party Billing  Rec'd \$ _____ to _____ apply in prepayment of the charges on the property described hereon.  Agent of Consignor Per _____ (The signature here acknowledges only the amount prepaid.) Charges advanced:  \$ _____  The shipment is correctly described Correct Wt. is _____ lbs  Subject to Verification by the Governing Freight and Inspection Bureau Agreement No. _____ VITEX EXTRUSION PER <u>Smk</u> Shipper  The Fibre Boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.  <u>Harley Trans.</u>
	NOTE: RATING/CLASS (Unless noted otherwise) Aluminum Extrusions 20#/Cu. Ft.  PO: F3375 Sales Order: 21631  Length 12'0" Desc: CUSTOM SHAPE Item: 1 Section: 201530 Part S82-6 Alloy/Temp: 6061/T6  Ticket Pieces Net Pounds Gross 82942 28 1110 1128 82943 28 1110 1128 82944 28 1110 1128 82945 28 1110 1128 82946 27 1076 1094 Item Total 139 5516  SHIPPING: DELIVERIES ARE BY APPOINTMENT ONLY. Customer receives Thursdays. CALL JIM KLOS AT 585-235-0880 EXT 145 (BETWEEN 9:00AM-NOON) OR DON COOK AT EXT 106. CALL AT LEAST 48 HOURS IN ADVANCE. DELIVERIES NEED TO BE MADE BETWEEN 12:00 AM AND 10:00 AM.  FOB Destination  5 Tickets 5516		
	Per <u>Smk</u> Lowry TRANS 175 Agent, Per _____ Permanent post-office address of shipper,		

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEXINGTON PRECISION CORP., *et al.*,  
  
Debtors.

Chapter 11  
Case No. 08-11153 (MG)  
Jointly Administered

**ORDER ALLOWING AND DIRECTING PAYMENT OF ADMINISTRATIVE CLAIM**

Upon the *Motion for Allowance of Administrative Claim* (the “Motion”) filed by Vitex Extrusion, LLC (the “Seller”); notice having been sufficient, no objections having been filed, or any such objections having been overruled or withdrawn as appropriate,

**IT IS ORDERED,**

1. The Seller is hereby granted an allowed administrative claim in the amount of \$62,699.15 (the “Administrative Claim”); and
2. The Reorganized Debtors<sup>1</sup> are ordered to pay the Administrative Claim in accordance with the Confirmed Plan.

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
United States Bankruptcy Judge

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEXINGTON PRECISION CORP., *et al.*,  
  
Debtors.

Chapter 11  
Case No. 08-11153 (MG)  
Jointly Administered

**CERTIFICATE OF SERVICE**

I, Kathleen A. Rahbany, hereby certify that on July 26, 2010, I caused a true and accurate copy of the foregoing document to be served on the parties set forth below, which parties include the above-captioned debtors and the United States Trustee, at the addresses set forth below by first class mail, postage prepaid.

July 26, 2010

/s/ Kathleen A. Rahbany  
Kathleen A. Rahbany

Lexington Precision Corporation  
800 Third Avenue, 15th Floor  
New York, NY 10022  
Attn: Michael A. Lubin  
Title: Chairman of the Board

Weil, Gotschal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
Attn: Richard P. Krasnow, Esq.

Office of the United States Trustee for  
the Southern District of New York  
33 Whitehall Street  
21st Floor  
New York, NY 10004  
Attn: Paul K. Schwartzberg